

## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademar Tice
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

| U.S. APPLICATION NO.   | FIRST NA | AMED APPLICANT   | ATTY. DOCKET NO. |
|--|----------|------------------|------------------|
| 09/254,078   | RUBBERT  | R                | 59-99            |
|  | 5611     | INTERNATIONAL A  | APPLICATION NO.  |
| JOHN F MCNULTY PAUL & PAUL 2900 TWO THOUSAND MARKET STREET PHILADELPHIA PA 19103 |          | PCT/DI           | E97/01796        |
|  |          | I.A. FILING DATE | PRIORITY DATE    |
| THICHDCCITTA TA  | 19103    | 08/19/97         | 7 09/02/96       |
|  |          | - I              | 05/19/99         |
|  |          | DATE MAILED:     |                  |

## NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct

| these rec                          | quirements and avoid abandonment is set in the accompanying Office action.  |
|------------------------------------|---|
| internation                        | ath or declaration, identifying this application by the international application number and onal filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) in that it:   |
| 2. d<br>3. d<br>4. d<br>5. d<br>is | ones not identify the specification to which it is directed. ones not identify the inventor(s). ones not identify the inventor(s). ones not identify the citizenship of each inventor. ones not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is laimed and for which a patent is sought.                                     |
| 1.497(a)                           | RE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER ATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.  |
| Addition                           | ally, the oath or declaration does not comply with 37 CFR 1.63 in that it:  |
| 1.                                 | does not identify the city and state or city and foreign country of residence or each inventor.   |
| 2.                                 | does not state that the person making the oath or declaration:  |
| а. [                               | has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.  |
| ъ. [                               | acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.   |
| 3.                                 | does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.  |
| 4.                                 | does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).  Telephone: (703) 305 366 6 |
|                                    |   |

FORM PCT/DO/EO/917 (September 1996)